

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

KENNETH ZIMMERN, a Harris County Registered Voter; WILLIAM SOMMER, a Harris County Registered Voter; and CAROLINE KANE, a Harris County Registered Voter,

Plaintiffs,

V.

JUDGE LINA HIDALGO, in her official capacity as County Judge for Harris County, Texas; and TENESHIA HUDSPETH, in her official capacity as County Clerk for Harris County, Texas,

Defendants.

Civil Action No. 4:24-cv-04439

DEFENDANTS' RULE 12(b)(1) and 12(b)(6) MOTION TO DISMISS

Pursuant to Rule 12(b)(1) and (6) of the Federal Rules of Civil Procedure, Defendant Lina Hidalgo, sued in her official capacity as Harris County Judge, and Defendant Teneshia Hudspeth, sued in her official capacity as Harris County Clerk, hereby move this Court to dismiss Plaintiffs' claims for lack of subject-matter jurisdiction and for failure to state a claim upon which relief can be granted. The grounds for this motion are set forth in the accompanying Memorandum in Support. A proposed order is also attached.

Dated: December 11, 2024

Respectfully submitted,

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ATTORNEYS FOR DEFENDANTS

CERTIFICATE OF SERVICE

I hereby certify that on December 11, 2024, a true and correct copy of this motion and its attachments was electronically filed using the Court's CM/ECF system, which will send notification of such filing to all counsel of record.

/s/ Edward D. Swidriski III

EDWARD D. SWIDRISKI III

Attorney-in-Charge